

<p style="text-align: center;"><b>Nutrition Services</b> <b>Department of State Health Services</b></p>
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Effective November 1, 2012

Policy No. CS:04.0

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## Physical Presence

### Purpose

The physical presence of an individual at certification is basic to WIC Program effectiveness. The physical presence requirement not only improves program effectiveness, program accountability and integrity, it also facilitates the referral process to other needed health and social services.

### Authority

7 CFR Part 246; 25 TAC §31.22

### Policy

Individuals seeking participation in the WIC Program shall be physically present at the initial WIC certification and the subsequent certifications, except in certain limited circumstances.

### Definitions

Applicant: A pregnant, breastfeeding or postpartum woman; infant; or child who is applying to receive WIC Program benefits and includes individuals who are subsequently applying after the expiration of a certification period.

Individuals with Disabilities: Individuals who have a physical and/or mental condition that causes substantial and ongoing functional limitations in one or more of the following areas: mobility, self care, communication/social interaction, learning, self-direction, vision, hearing, capacity for independent living, or capacity for economic self-sufficiency.

A person with severe disabilities requires or has the potential to require the individual and/or his family/caregivers (in relationship to the individual's care) to access a complex array of services from public/private service providers in order to achieve optimal care for the individual and the

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access/coordination of these services may exceed the immediate capabilities of the family/caregivers. The services are anticipated to be lifelong or of extended duration and require individualized planning and coordination. Refer to Policy CR:07.0 Provision of Services to Families with Special Health Care Needs.

**Procedures**

- I. All applicants/participants shall be physically present at initial and subsequent certifications. This includes pregnant, breastfeeding, and postpartum women, infants and children less than five years of age. LA staff shall document the physical presence of an applicant/participant on the SIF by checking the "Yes" or "No" box.
  
- II. Newborn infants, less than one month of age may be allowed to be certified without being physically present if all required documentation is available. If the infant is not physically present, LA staff shall mark the "No" box on the SIF. The parent/caregiver shall present the infant to WIC staff by the infant's six-week birth date. The staff person witnessing the infant's physical presence shall initial and date in the "For WIC Official Use Only" section of the SIF.

For certification purposes the birth weight and length of an infant shall be accepted when the infant is less than 2 weeks old (refer to Policy CS:17.0 Procedure III. B.).

- III. Exceptions for providing reasonable accommodations of disabilities for women, infants, and children at certification and subsequent certifications;
  - A. An applicant or parent/caretaker of an applicant who is a qualified individual with disabilities and is unable to be physically present at the WIC clinic because of his/her disabilities may be certified and subsequently certified without being physically present. Conditions which meet this standard are:

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1. a medical condition that necessitates the use of medical equipment that is not easily transportable;
  2. a medical condition that requires confinement to bed rest; or
  3. a serious illness that may be exacerbated by coming into the clinic.
  4. Individuals or Families with Special Health Care Needs (FSHCN) refer to Policy CR:07.0 Procedure I and II.
- B. The height, weight, and blood work shall be obtained from the health care provider if available. Refer to Policy CS: 17.0 Procedure III. A.
- C. A verbal declaration of exception status is acceptable and shall be documented in the client's record.

#### IV. Physical Presence Waiver

- A. The Certifying Authority (CA)/WIC Certification Specialist (WCS) shall complete the Physical Presence Waiver section on the Supplemental Information Form (SIF) for each applicant or participant that is not physically present for his/her current certification. The appropriate condition shall be marked to indicate the reason for the physical presence waiver.
- B. Current certification period: An applicant/participant may be exempt from the physical presence requirement for the current certification period. The Certifying Authority (CA)/WIC Certification Specialist (WCS) shall assess and document the situation on the SIF. For example, the participant may have an infectious disease such as chickenpox or a medical condition that would prevent the participant from being physically present (see procedures III. of this policy).
- C. When the CA/WCS signs the "For WIC Official Use Only" section of the SIF WIC 35-1, he/she is authorizing the physical presence waiver.